



# Greater Cincinnati Northern Kentucky Apartment Association

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March 5, 2013

Hearing Clerk  
C/O U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
1099 14<sup>th</sup> Street NW  
Franklin Court Building  
Suite 350  
Washington, DC 20005

Via: United Parcel Service

**Re: Hearing Request Concerning EPA Docket # EPA—HQ—OPP-2013-0049; Notice of Intent to Cancel Certain Rodenticide Bait Products**

Dear Sir or Madam:

I write on behalf of the Greater Cincinnati Northern Kentucky Apartment Association. The members of our organization cover the full gamut of the apartment industry, from market rate to tax credit to senior and to affordable housing units. It is our mission to contribute our knowledge of the multi-family building and management to the best interest of those our members serve and perpetuate an environment favorable to apartment living. In my role, I am well versed in what it takes on a daily basis for landlords to provide a clean and safe home for people.

I understand that the EPA is trying to cancel certain rodenticide baits, including the following:

- d-CON Mouse Prufe II (registration #3282-65)
  - Label here: [http://www.epa.gov/pesticides/chem\\_search/ppls/003282-00065-20081031.pdf](http://www.epa.gov/pesticides/chem_search/ppls/003282-00065-20081031.pdf)
- d-CON Pellets Generation II (registration #3282-66)
  - Label here: [http://www.epa.gov/pesticides/chem\\_search/ppls/003282-00066-20081031.pdf](http://www.epa.gov/pesticides/chem_search/ppls/003282-00066-20081031.pdf)
- d-CON Bait Pellets II (registration #3282-74)
  - Label here: [http://www.epa.gov/pesticides/chem\\_search/ppls/003282-00074-20120425.pdf](http://www.epa.gov/pesticides/chem_search/ppls/003282-00074-20120425.pdf)
- d-CON Ready Mixed Generation II (registration #3282-81)
  - Label here: [http://www.epa.gov/pesticides/chem\\_search/ppls/003282-00081-20081031.pdf](http://www.epa.gov/pesticides/chem_search/ppls/003282-00081-20081031.pdf)

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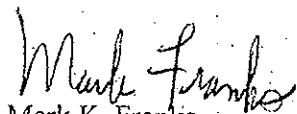
The Greater Cincinnati Northern Kentucky Apartment Association represents 157 Owner/management companies with 78,057 multi-family housing units in approximately 420 communities and/or scattered sites. Our members provide housing to residents and are responsible for maintaining a living environment that is clean and safe and affordable to our residents. It is especially important for maintenance staff to quickly and effectively respond to the presence of rats or mice in apartment homes and other buildings in the community. For our members and their tenants, d-CON products play an important part in ensuring the health and safety of their families. These products are affordable and they work.

Banning these products would cause real hardship to many of the members and tenants we serve, and I do not believe that the EPA has a good reason to take these products off the market. They seem to be determined to solve a problem that does not exist. If only professional pest control companies have access to the most effective rodent control products, tenants and property owners alike will have to bear additional expenses to keep infestations from occurring and to respond quickly when such problems do arise.

I understand that the EPA not only intends to ban d-CON, but also will not allow stores to sell these products to sell off any stocks they currently have on their shelves once the ban takes effect. This means that at any time, our members and families in our communities could be deprived without warning of their first line of defense against disease-bearing rats and mice.

I believe that the EPA's actions are unwarranted and that they should be required to make their case at a hearing before an Administrative Law Judge. I also think that a hearing needs to be held on these issues so that our members' needs can be considered.

Sincerely,



Mark K. Franks  
Executive Vice President

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Office of Administrative Law Judges  
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I hereby certify that I have provided copies of this letter by Federal Express to the people named below:

Cc:  
James Jones  
Acting Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
Mail Code 7101M  
U. S. Environmental Protection Agency  
Ariel Rios Building  
1201 Constitution Avenue N.W.  
Washington, DC 20004

d-CON Rodent Control Products Regulatory Staff  
C/O Reckitt Benckiser  
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